

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF ARKANSAS  
HOT SPRINGS DIVISION

OLAJUWON SMITH

PLAINTIFF

v.

Civil No. 6:19-cv-06003

DR. LIGGETT (Correct Care Solutions),  
DREAM REDDICK YOUNG  
(Health Care Administrator, CCS),  
CORRECT CARE SOLUTIONS, and  
ADAM CLARK (Lieutenant, Ouachita River  
Correctional Unit, ADC)

DEFENDANTS

**ORDER**

Before the Court is the Report and Recommendation filed July 2, 2020, by the Honorable Mark E. Ford, United States Magistrate Judge for the Western District of Arkansas. (ECF No. 83.) Judge Ford recommends that the Medical Defendants' Motion for Partial Summary Judgment on the Issue Exhaustion (ECF No. 55) be granted in part and denied in part. Judge Ford also recommends that Lt. Clark's Motion for Partial Summary Judgment on Exhaustion (ECF No. 66) be granted. No party has filed objections to the Report and Recommendation, and the time to object has passed. *See* 28 U.S.C. § 636(b)(1). Upon review, the Court adopts the Report and Recommendation *in toto*.

Accordingly, it is hereby ORDERED:

1. The motion for summary judgment (ECF No. 55) on the issue of exhaustion is GRANTED as to all claims against Defendants Dream Reddick Young and CCS. Plaintiff's claims against Dream Reddick Young and CCS are hereby DISMISSED WITHOUT PREJUDICE;

2. The motion for summary judgment (ECF No. 55) on the issue of exhaustion on Plaintiff's claims against Dr. Liggett for delay in getting Plaintiff to a knee specialist for medical treatment is DENIED. Furthermore, the Court finds that Plaintiff's claims against Dr. Liggett for delay and denial of medical care encompass the timeframe of August 9, 2018 to September 20, 2018; and

3. Lt. Clark's Motion for Partial Summary Judgment (ECF No. 66) should be and hereby is GRANTED, and Plaintiff's claims against him for deliberate indifference to Plaintiff's medical needs should be and hereby are DISMISSED WITHOUT PREJUDICE. Plaintiff's claim against Lt. Clark for denial of access to courts remains for further review.

**IT IS SO ORDERED** this 29th day of September 2020.

/s/Robert T. Dawson

ROBERT T. DAWSON  
SENIOR U.S. DISTRICT JUDGE